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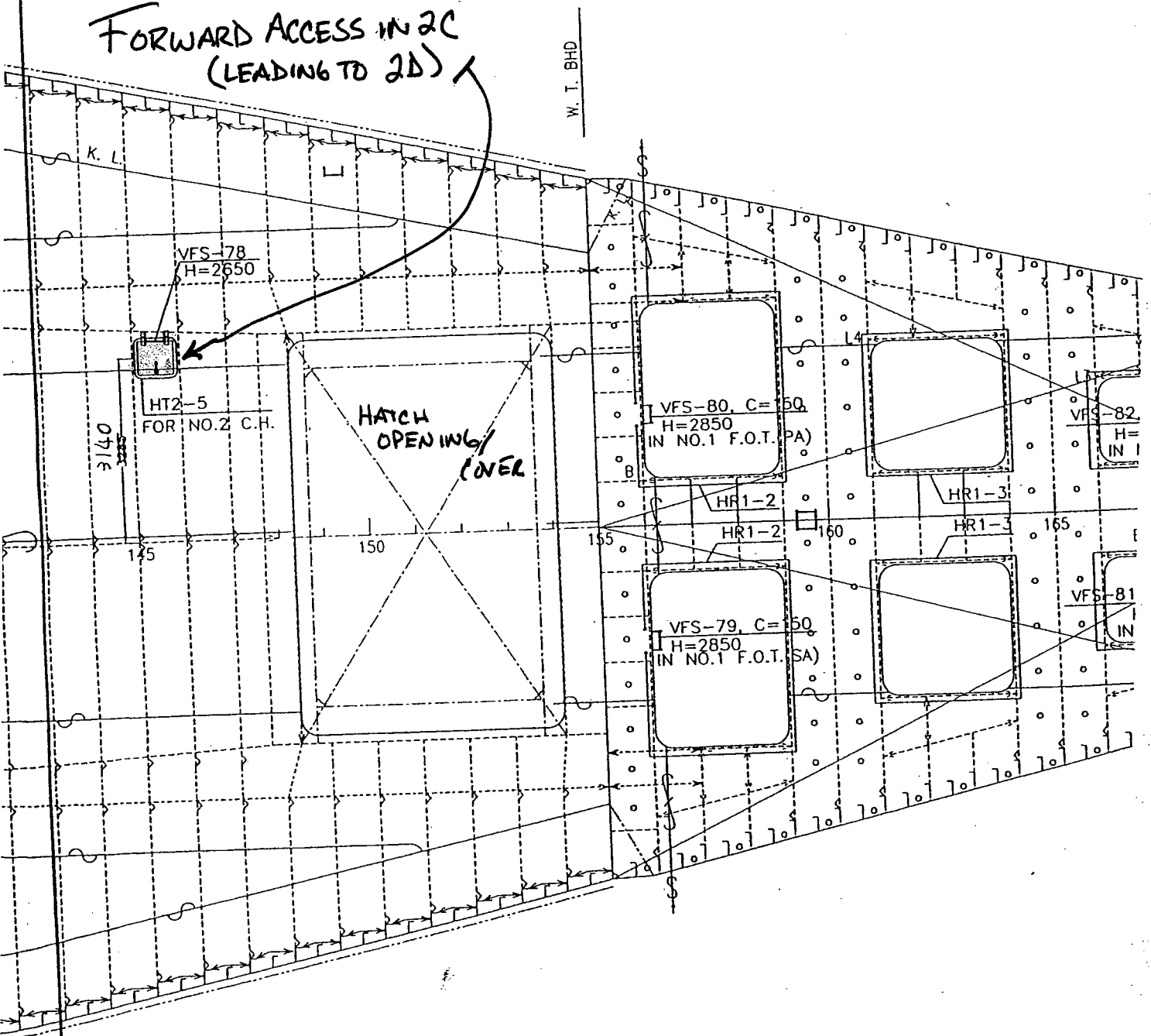
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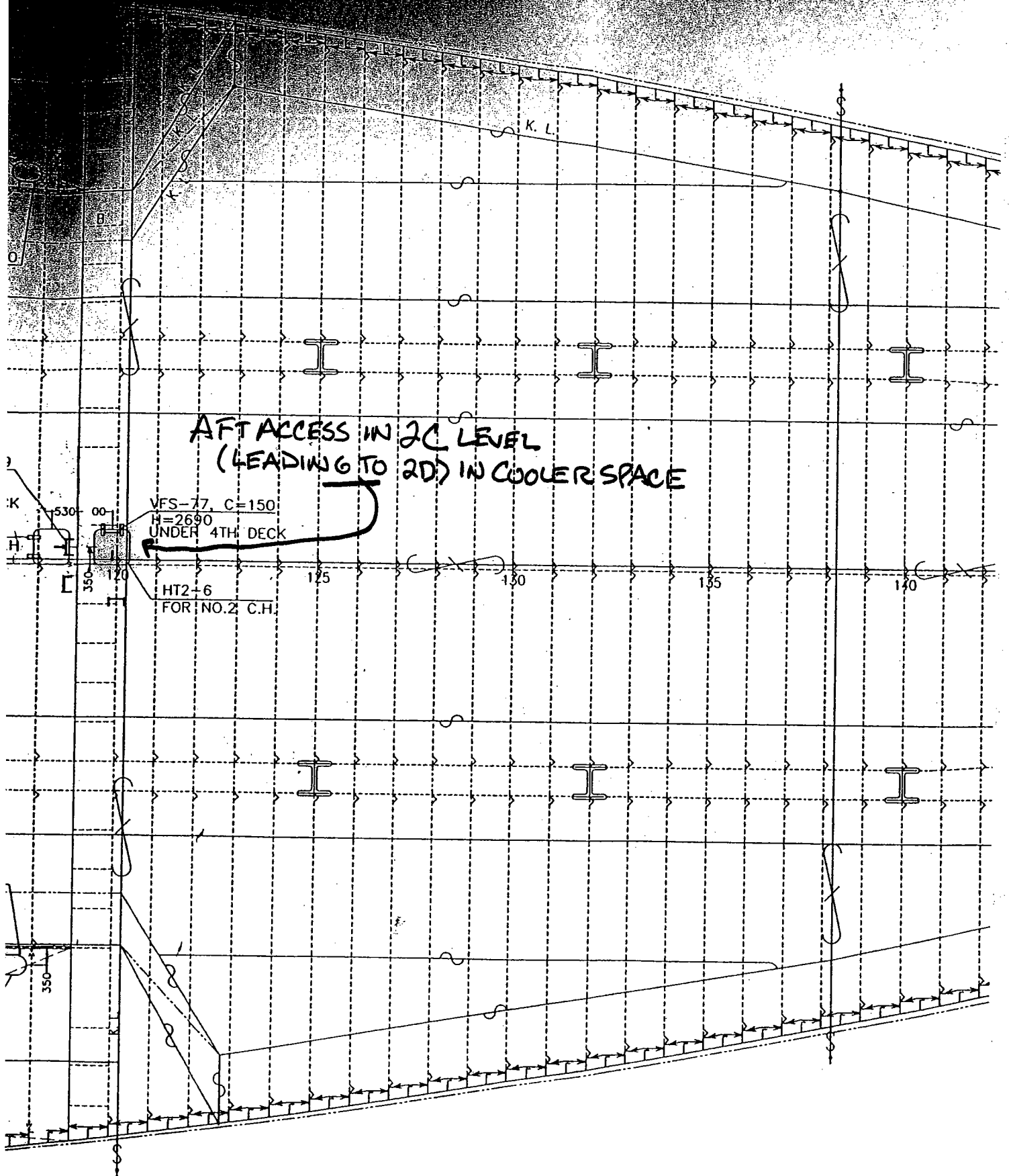
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1402

(49)





NETHERLANDS M/V "LUZON STRAIT" V.211
STATEMENT OF FACTS
WILMINGTON, DE

We, the undersigned, do hereby certify the following to be a true and complete statement of facts pertaining to the discharge of a cargo of 2,712 plts of Frozen Meat @ 5,088.915 mt at Wilmington Marine Terminal, Wilmington, DE.

On completion the vessel sailed for Natal, Brazil.

End of sea passage.....	00.00 hrs	6 NOV, 2002
River pilot onboard.....	00.15 hrs	6 NOV, 2002
Alongside at Wilmington M.T. & first line ashore..	05.34 hrs	6 NOV, 2002
All fast at berth #5 1/2 Wilmington m.t.....	05.51 hrs	6 NOV, 2002
Commenced discharge.....	08.00 hrs	6 NOV, 2002
Completed discharge.....	14.45 hrs	8 NOV, 2002
USDA initial certification.....	18.00/20.15 hrs	8 NOV, 2002
Departed berth & sailed.....	21.59 hrs	8 NOV, 2002

On berthing:

FO 1558 MT
DO 85 MT
FW 200 MT

Draft:

FWD 7.3 M
AFT 8.0 M

Taken in port:

FO ----- MT
DO ----- MT
FW ----- MT

On sailing:

FO 1542.9 MT
DO 85 MT
FW 185 MT

Draft:

FWD 5.6 M
AFT 6.7 M

ACTIVITY

* ALL DISCHARGE DONE WITH SHIP'S GEAR *

WEDNESDAY - NOVEMBER 6TH, 2002

HOLD NO.1A - 0800/0815 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
0815/0945 SLING & DISCHARGE EXTENDED BREAK-OUT PLTS FROZEN MEAT

0945/1000 S/B - MOUNT CAGE ON CRANE
1000/1005 DISCHARGE PLTS FROZEN MEAT
1005/1110 S/B - CAGE BROKEN
1110/1200 DISCHARGE PLTS FROZEN MEAT
1200/1300 MEAL BREAK
1300/1525 DISCHARGE PLTS FROZEN MEAT
B - 1525/1540 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
1540/1545 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
1545/1555 S/B - MOUNT CAGE ON CRANE
1555/1800 DISCHARGE PLTS FROZEN MEAT
1800 GANG OFF

HOLD NO.3B - 0800/1200 DISCHARGE PLTS FROZEN MEAT
1200/1300 MEAL BREAK

1300/1515 DISCHARGE PLTS FROZEN MEAT
C - 1515/1540 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
1540/1550 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
1550/1610 S/B - MOUNT CAGE ON CRANE
1610/1715 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
1715/1800 DISCHARGE PLTS FROZEN MEAT
1800 GANG OFF

HOLD NO.4B - 0800/1200 DISCHARGE PLTS FROZEN MEAT
1200/1300 MEAL BREAK

1300/1345 DISCHARGE PLTS FROZEN MEAT
C - 1345/1410 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
1410/1415 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
1415/1435 S/B - MOUNT CAGE ON CRANE
1435/1600 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
1600/1715 DISCHARGE PLTS FROZEN MEAT
1715/1800 S/B - CAGE BROKEN (INTERMITTENT DELAYS)
1800 GANG OFF



NETHERLANDS, M/V "LUZON STRAIT" 211

STATEMENT OF FACTS

WILMINGTON, DE

THURSDAY - NOVEMBER 7TH, 2002

HOLD NO.1B - 0700/0725 S/B - CAGE BROKEN
 0725 GANG SHIFTS TO #2
 1430/1600 DISCHARGE PLTS FROZEN MEAT
 1600 GANG SHIFTS TO #2

HOLD NO.2C - 0725/1200 DISCHARGE PLTS FROZEN MEAT
 1200/1300 MEAL BREAK
 1300/1400 DISCHARGE PLTS FROZEN MEAT
 D - 1400/1410 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
 1410/1430 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
 1430 GANG SHIFTS TO #1
 1600/1700 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
 1700/1800 DISCHARGE PLTS FROZEN MEAT
 1800 GANG OFF

HOLD NO.3C - 0700/1200 DISCHARGE PLTS FROZEN MEAT
 1200/1300 MEAL HOUR
 1300/1430 DISCHARGE PLTS FROZEN MEAT
 D - 1430/1440 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
 1440/1450 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
 1450/1540 SLING & DISCHARGE EXTENDED BREAK-OUT PLTS
 FROZEN MEAT
 1540/1550 S/B - MOUNT CAGE ON CRANE
 1550/1630 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
 1630/1800 DISCHARGE PLTS FROZEN MEAT
 1800 GANG OFF

HOLD NO.4C - 0700/1115 DISCHARGE PLTS FROZEN MEAT
 D - 1115/1125 S/B - DISMOUNT CAGE FROM CRANE/OPEN TWEEN DECK
 1125/1130 DISCHARGE BREAK-OUT PLTS FROZEN MEAT
 1130/1140 S/B - MOUNT CAGE ON CRANE
 1140/1200 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
 1200/1300 MEAL BREAK
 1300/1330 MACHINE BREAK-OUT/DISCHARGE PLTS FROZEN MEAT
 1330/1405 DISCHARGE PLTS FROZEN MEAT
 1405/1440 S/B - CAGE BROKEN
 1440/1730 DISCHARGE PLTS FROZEN MEAT
 1730 GANG OFF

FRIDAY - NOVEMBER 8TH, 2002

HOLD NO.2D - 1100/1200 DISCHARGE PLTS FROZEN MEAT
 1200/1300 MEAL BREAK
 1300/1445 DISCHARGE PLTS FROZEN MEAT
 1445 GANG OFF

HOLD NO.3D - 0700/1100 DISCHARGE PLTS FROZEN MEAT
 1100 GANG SHIFTS TO #2

m.v. "Luzon Strait"

MASTER M/V "LUZON STRAIT"
 CAPTAIN MARTIJN S. MOBACH

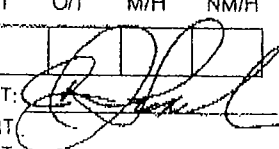

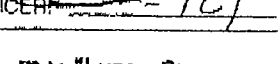
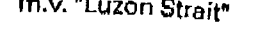
TERMINAL SHIPPING COMPANY, INC.
 AS AGENTS

DELAWARE RIVER STEVEDORES, INC.

PIER: With Marine TermDATE: Thursday, November 6, 02

LINE: _____

MV: Luzon Strait

HATCH	CRANE ID	ACTIVITY	TIME	REMARKS
#1		Disc Cargo Breakout A-deck	8 ⁴⁵ 8 ¹⁵	
		Place Machine with spreader, prestling		
		over stowed Pallets	8 ¹⁵ 9 ⁴⁵	
		Rigg Cage on	9 ⁴⁵ 10 ⁰⁰	
		Disc Cargo A-deck	10 ⁰⁰ 10 ⁰⁵	
		Cage broke down	10 ⁰⁵ 11 ¹⁰	
		Disc Cargo A-deck	11 ¹⁰ 12 ⁰⁰	
		Disc Cargo A-deck	1 ⁰⁰ 3 ²⁵	
		Cage off & opening	3 ²⁵ 3 ⁴⁰	
		Breakout Cargo - B-deck	3 ⁴⁰ 3 ⁴⁵	
		Cage on	3 ⁴⁵ 3 ⁵⁵	
		Disc Cargo B-deck	3 ⁵⁵ 6 ⁰⁰	
#3		Disc Cargo B-deck	8 ⁰⁰ 12 ⁰⁰	
		Disc Cargo B-deck	1 ⁰⁰ 3 ¹⁵	
		Take Cage off	3 ¹⁵ 3 ⁴⁰	
		Breakout Cargo C-deck	3 ⁴⁰ 3 ⁵⁰	
		Put Cage on	3 ⁵⁰ 4 ¹⁰	
		Machine Breakout C-deck	4 ¹⁰ 5 ¹⁵	
		Disc Cargo C-deck	5 ¹⁵ 6 ⁰⁰	
#4		Disc Cargo B-deck	8 ⁰⁰ 12 ⁰⁰	
		Disc Cargo B-deck	1 ⁰⁰ 1 ⁴⁵	
		Rigg Cage (take cage off)	1 ⁴⁵ 2 ¹⁰	
		Breakout C-deck	2 ¹⁰ 2 ¹⁵	
		Put Cage on	2 ¹⁵ 2 ³⁵	
		Machine Breakout C-deck	2 ³⁵ 4 ⁰⁰	
		Disc Cargo C-deck	4 ⁰⁰ 5 ¹⁵	
		Cage down (intermittent delays)	5 ¹⁵ 6 ⁰⁰	
HATCH	EXCEPTIONS (SHOWN ABOVE)		TIME	DAILY RECAPITULATION
				GROSS DET X/L NET <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> S/T O/T M/H NM/H <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> SUPT:  PORT:  CAPT:  CHIEF OFFICER: 

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m.v. "Luzon Strait"

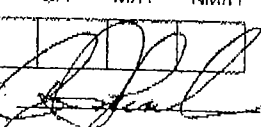
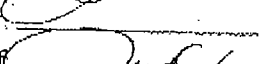
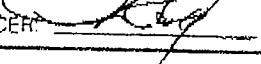
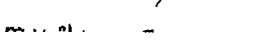
DELAWARE RIVER STEVEDORES, INC.

PIER: Wilm Marine Term

DATE: Thursday Nov 7, 2002

LINE: _____

MV: Luzon Strait

HATCH	CRANE ID	ACTIVITY	TIME	REMARKS
#1		Cage Breakdown	7 ⁰⁰ AM - 7 ²⁵ AM	
		Shift to #2		
#2		Disc Cargo C-deck	7 ²⁵ AM - 12 ⁰⁰ PM	
		Disc Cargo C-deck	1 ⁰⁰ PM - 2 ⁰⁰ PM	
		Remove Cage	2 ⁰⁰ PM - 2 ¹⁰ PM	
		Disc Breakout D-deck	2 ¹⁰ PM - 2 ³⁰ PM	
		Shift to #1		
#1		Disc Cargo B-deck (Finish)	2 ³⁰ PM - 4 ⁰⁰ PM	
		Shift to #2		
#2		Machine Breakout D-deck	4 ⁰⁰ PM - 5 ⁰⁰ PM	
		Disc Cargo D-deck	5 ⁰⁰ PM - 6 ⁰⁰ PM	
#3 Jackson		Disc Cargo C-deck	7 ⁰⁰ AM - 12 ⁰⁰ PM	
		Disc Cargo C-deck	1 ⁰⁰ PM - 2 ³⁰ PM	
		Remove Cage	2 ³⁰ PM - 2 ⁴⁰ PM	
		Disc Breakout D-deck	2 ⁴⁰ PM - 2 ⁵⁰ PM	
		Rigg Machine + disc Extended breakout	2 ⁵⁰ PM - 3 ⁴⁰ PM	
		Rigg Cage	3 ⁴⁰ PM - 3 ⁵⁰ PM	
		Machine Breakout D-deck	3 ⁵⁰ PM - 4 ³⁰ PM	
		Disc Cargo D-deck	4 ³⁰ PM - 6 ⁰⁰ PM	
HATCH	EXCEPTIONS (SHOWN ABOVE)		TIME	DAILY RECAPITULATION
				GROSS DET X/L NET <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> S/T O/T M/H NM/H <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> SUPT.  PORT.  CAPT.  CHIEF OFFICER 

DELAWARE RIVER STEVEDORES, INC.

PIER-

Wilm Marine Terr

DATE:

Thursday Nov 7, 2002

LINE:

M/V:

Luzon Strait

[illegible]

m.v. "Luzon Strait"

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN TURNER,

) CIVIL ACTION

)

)

Plaintiff,

)

-vs-

)

)

SEATRADE GRONIGNER, B.V.,

)

)

)

Defendant.

) NO. 04-CV-0936

- - -

Oral deposition of GREGORY A.

RINGGOLD, taken in the law offices of PALMER,
BIEZUP & HENDERSON, Public Ledger Building, Suite
956, 620 Chestnut Street, Philadelphia,
Pennsylvania 19106, on Friday, March 11, 2005,
beginning at approximately 11:35 a.m., before
Joseph J. Pignatelli, a Registered Professional
Reporter and Commissioner in and for the
Commonwealth of Pennsylvania.

- - -

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1880 John F. Kennedy Boulevard
15th Floor
Philadelphia, Pennsylvania 19103
(215) 988-9191

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14

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1 APPEARANCES :

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6 Philadelphia, Pennsylvania 19106

7 (215) 931-2510

8 -- Representing the Plaintiff

9 PALMER, BIEZUP & HENDERSON

10 BY: RICHARD Q. WHALEN, ESQUIRE

11 Public Ledger Building, Suite 956

12 620 Chestnut Street

13 Philadelphia, Pennsylvania 19106

14 (215) 625-9900

15 -- Representing the Defendant

16 - - -

GREGORY A. RINGGOLD

(It is hereby stipulated and agreed by and between counsel for the respective parties that signing, sealing, certification, and filing are hereby waived; and that all objections, except as to the form of the question, are reserved until the time of trial.)

- - -

GREGORY A. RINGGOLD, after having been first duly sworn, was examined and testified as follows:

- - -

EXAMINATION

- - -

BY MR. WHALEN:

Q. Mr. Ringgold, can you state your full name, for the record, please.

A. Gregory A. Ringgold.

Q. What does the A stand for?

A. Alexis.

Q. Mr. Ringgold, have you ever given your deposition before?

A. No.

Q. My name is Richard Whalen. I represent the

1 out?

2 A. Yes.

3 Q. When you went out, did you hold onto the
4 access cover to help yourself get out of the
5 hatch?

6 A. No.

7 Q. How did you get out?

8 A. Put my arms on the side, raised myself back
9 up there and sat down and got out.

10 Q. And you didn't have any trouble doing that?

11 A. No.

12 Q. And when you came out that last time, the
13 access cover was obviously open; is that correct?

14 A. Yes.

15 Q. Was it open in like a ninety degree
16 position like this or partially or more than
17 ninety degrees?

18 A. I don't know.

19 Q. However amount it was open, you didn't have
20 any trouble getting out of it?

21 A. No.

22 Q. Then who was right behind? Was there
23 anyone right behind you on the ladder?

24 A. There were only two people down in there

1 when I left.

2 Q. And who was that?

3 A. That was John Turner and Blue.

4 Q. Mr. Grinnell?

5 A. Mr. Grinnell.

6 Q. When you came out that last time that you
7 just described, did you look at the securing
8 device how that cover was held open?

9 A. No.

10 Q. Did you have any idea who opened that
11 cover?

12 A. No.

13 Q. Who secured it, if it was secured?

14 A. No.

15 Q. What was your first notice of Mr. Turner's
16 accident?

17 A. I was up on the next deck and I heard them
18 talking about it. I was on B deck when I heard
19 it, but taking off my coat and things, getting my
20 bag.

21 Q. What did you hear?

22 A. I just heard them talk about the hatch
23 cover come back on John's leg, but I don't know
24 what else happened.

1 Q. Have you spoken to Mr. Turner since the
2 accident about how it occurred?

3 A. No.

4 Q. Did you meet with Mr. Gruber before coming
5 here today to discuss this accident?

6 A. Yes.

7 Q. Did he show you some photographs and ask
8 you what happened?

9 A. Yes.

10 Q. Were the other witnesses there with you
11 when that happened?

12 A. Yes.

13 Q. Now, when you came out onto the C deck that
14 last time, did you ever see any ship's personnel
15 or crew members in that area?

16 A. No.

17 Q. At any time that day did you, either on the
18 D or C levels, ever see any ship's crew or ship's
19 personal there?

20 A. On which, what did you say?

21 Q. On either the D level or C level that day?

22 A. No.

23 Q. Never saw anyone from the ship's crew?

24 A. No.

1 Q. Did you ever have any conversation yourself
2 with any member of the ship's crew that day?

3 A. Yes.

4 Q. Who did you speak with?

5 A. That was on top of it on the main deck
6 where they was hooking up the power to move the
7 elevator.

8 Q. What was your conversation?

9 A. We had to hook up things for them or move
10 something out of the way so they could get to the
11 boxes that held the pallets.

12 Q. And when was that?

13 A. In the morning.

14 Q. Any other discussions?

15 A. No.

16 Q. Let me check my notes.

17 Now, as a longshoreman with a
18 significant amount of experience, you regularly on
19 a daily basis go up and down and fix ladders like
20 the one that you just described through access
21 ways like the one you described?

22 A. Yes.

23 Q. When you were in the area of the top of
24 this ladder where the access was, what you show in

1 D-5 when you got up to the C deck level with the
2 access cover lid, were there any handles on either
3 side or in front of this access --

4 A. From B to C?

5 Q. Right.

6 A. No.

7 Q. That was just the access cover itself?

8 A. That's it.

9 Q. Do you know whether there was any other
10 ladder or a way to get out of the D deck other
11 than the one you drew in on D-5?

12 A. No.

13 Q. In your experience, is it typically an
14 access at the forward and aft ends, the two
15 methods, two ways to get in and out of the hatch?

16 A. This particular hatch or any hatch?

17 Q. Most hatches.

18 A. Yes.

19 Q. Do you know whether there was another
20 ladder in this hatch?

21 A. No.

22 Q. Did you ever ask anyone whether --

23 A. There was no one around to ask.

24 Q. But you were not aware of one?

A. No.

MR. WHALEN: Those are all the
questions I have. Thank you very much.

- - -

(Witness excused.)

- - -

(Whereupon, the deposition was
concluded at 12:05 p.m.)

- - -

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN TURNER,) CIVIL ACTION

)

)

Plaintiff,)

-vs-

)

)

SEATRADE GRONIGNER, B.V.,)

)

)

Defendant.) NO. 04-CV-0936

- - -

Oral deposition of WILLIAM HENRY
GRINNELL, JR., taken in the law offices of PALMER,
BIEZUP & HENDERSON, Public Ledger Building, Suite
956, 620 Chestnut Street, Philadelphia,
Pennsylvania 19106, on Friday, March 11, 2005,
beginning at approximately 11:00 a.m., before
Joseph J. Pignatelli, a Registered Professional
Reporter and Commissioner in and for the
Commonwealth of Pennsylvania.

- - -

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1 APPEARANCES :

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-- Representing the Plaintiff

6 PALMER, BIEZUP & HENDERSON

7 BY: RICHARD Q. WHALEN, ESQUIRE

8 Public Ledger Building, Suite 956

620 Chestnut Street

9 Philadelphia, Pennsylvania 19106

(215) 625-9900

10 -- Representing the Defendant

11 - - -

1 A. Right.

2 Q. Did you come down to get to the D level on
3 the ladder that's indicated on D-4?

4 A. Right.

5 Q. To get to that ladder, was there an access
6 cover that was either open or closed that you had
7 to pass through to get to that ladder to get to
8 the D deck?

9 A. Yes.

0 Q. Was that access cover open or closed when
1 you personally came to it to go down into the D
2 level?

3 A. It was open.

4 Q. When you got to that point, could you tell
5 how that access cover was secured?

6 A. No.

7 Q. Did you hold onto that access cover as
8 support as you went down the ladder to the D
9 level?

0 A. Yes.

1 Q. And when you did that, did it support your
2 weight; in other words, it didn't fall down on
3 you?

4 A. No.

Q. It did not?

A. No.

Q. And did you use the same ladder and cover to exit or get out of the D level when your work was complete on the date of the accident?

A. Actually, yes.

Q. Did you come out before or after Mr. Turner?

A. After.

Q. When you came out after, did you hold onto the same access cover on the way out?

A. Actually you don't hold it, you pull up on it, and actually Sean had told me beforehand that the latch, there was something wrong with it on the way out. So me, actually I was curious and it popped loose and I looked at it.

Q. When you said you grabbed it and it popped loose --

A. Then you grabbed it pulling up, you climb up, so you pull up, you're pulling up on it.

Q. When you came up that ladder and you were pulling up on it, as you say, were you facing the cover or was the cover to your right or what?

A. Here.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN TURNER,) CIVIL ACTION
)
)
Plaintiff,)
-vs-)
)
SEATRADE GRONIGNER, B.V.,)
)
Defendant.) NO. 04-CV-0936

COPY

Oral deposition of SEAN BRADY, taken
in the law offices of PALMER, BIEZUP & HENDERSON,
Public Ledger Building, Suite 956, 620 Chestnut
Street, Philadelphia, Pennsylvania 19106, on
Friday, March 11, 2005, beginning at approximately
10:10 a.m., before Joseph J. Pignatelli, a
Registered Professional Reporter and Commissioner
in and for the Commonwealth of Pennsylvania.

ESQUIRE DEPOSITION SERVICES
1880 John F. Kennedy Boulevard
15th Floor
Philadelphia, Pennsylvania 19103
(215) 988-9191



APPEARANCES :

FREEDMAN and LORRY, P.C.

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(215) 931-2510

-- Representing the Plaintiff

PALMER, BIEZUP & HENDERSON

BY: RICHARD Q. WHALEN, ESQUIRE
Public Ledger Building, Suite 956
620 Chestnut Street
Philadelphia, Pennsylvania 19106
(215) 625-9900

-- Representing the Defendant

- - -

1 (It is hereby stipulated and agreed
2 by and between counsel for the respective
3 parties that signing, sealing,
4 certification, and filing are hereby
5 waived; and that all objections, except as
6 to the form of the question, are reserved
7 until the time of trial.)

8 - - -

9 SEAN BRADY, after having been first
10 duly sworn, was examined and testified as
11 follows:

12 - - -

13 EXAMINATION

14 - - -

15 BY MR. WHALEN:

16 Q. Mr. Brady, my name is Richard Whalen. I
17 represent the owners of the ship called the LUZON
18 STRAIT. Those owners have been sued by John
19 Turner in connection with an accident he had on
20 November eighth, 2002.

21 You have been identified as a witness
22 or a potential witness in the case, and that's the
23 reason why you were subpoenaed on come here today.

24 What I'm going to do is ask you some

1 questions about your recollection of what occurred
2 on November eighth, and if you don't understand
3 any of my questions, just let me know and I'll
4 rephrase them.

5 If you need a break at any time, just
6 let us know and we can break, to use the men's
7 room or get a breath of fresh air or whatever. I
8 don't anticipate the deposition being very long.

9 The one thing you should remember is
0 when giving a response, it has to be a verbal
1 response, and try to remember to say yes rather
2 than uh-uh and nodding your head and things like
3 that, so the court reporter can get it down.

4 A. Okay.

5 Q. State your full name for the record,
6 please.

7 A. Sean D. Brady.

8 Q. And what is your present home address, Mr.
9 Brady?

10 A. 1104 Melrose Place, Newark, Delaware.

11 Q. What is the ZIP code there?

12 A. 19702.

13 Q. And your home phone number?

14 A. Area code 302-226-7481.

1 Q. So at that time, what did you do when you
2 got to him?

3 A. When I got to him, I thought he was joking,
4 so I laugh at him a little bit, I thought he was
5 joking around. Then I pulled the lid off of him
6 and I grabbed him up and said, come on, let's get
7 out of here, it's cold. I tried to fasten the
8 lid, it wouldn't lock.

9 Q. Let's go back for a second. You had
10 indicated in your earlier testimony, I believe,
11 that you saw him coming up and he grabbed onto the
12 access lid with both hands to get himself up.

13 A. He had no choice.

14 Q. Then it came down on him?

15 A. Yes.

16 Q. Then you came to his assistance, and then
17 you said you pulled the lid up and tried to lock
18 it but it wouldn't lock?

19 A. No, because the pin was stressed out.

20 MR. WHALEN: Let's mark this as the
21 next exhibit.

22 - - -

23 (Whereupon, a photograph was marked
24 for identification as Exhibit D-3.)

SEAN BRADY

1
2 BY MR. WHALEN:

3 Q. We have marked a color photocopy of a
4 photograph as D-3. And looking at that, was that
5 the kind of pin, you see the red, kind of hook and
6 eye situation there for securing it? Was that the
7 kind of pin that there was or --

8 A. That's the kind pin it was, I wasn't in
9 there, it wasn't going in.

10 Q. What do you mean, it just wouldn't fit in?

11 A. It would go but it was already bent
12 outwards, it wouldn't hold it secure.

13 Q. So you're saying that hook of the hook and
14 eye had straightened out some. Can you draw on
15 another piece of paper what it looked like to you?

16 A. I'm not exactly sure, but I know I put the
17 pin in there, it wouldn't hook up. Held it up
18 with my hand, helped him out, let's go because
19 it's cold, it was five below zero down there.

20 All I know is I tried to put it in
21 there, it wouldn't go. When he came up, we got
22 him out. Blue went to grab a hold onto him.

23 I said, don't do it. He tried it,
24 and it wouldn't go, it almost came back on him.

1 We got out of the hold.

2 Q. Let's hold up for a second there. You said
3 Blue came out, that's William Grinnell?

4 A. Yes.

5 Q. So when you were standing there, you
6 couldn't get the pin back in and you were holding
7 it open, and then Mr. Grinnell came up the ladder?

8 A. Yes.

9 Q. Then how did he get out?

10 A. I helped him out of the hold.

11 Q. But you hadn't put the pin back in?

12 A. I tried to, it wouldn't stay in there, it
13 wouldn't go in. It would go in, but it's coming
14 right back out.

15 Q. So did he try to pull on it and did it pop
16 out again?

17 A. A leg pulled on it. I held it up so he
18 come up and said, I'm going to put all my weight
19 on it, you don't have to hold it, let's go.

20 Q. Then the three of you left?

21 A. Yes.

22 Q. And then was Mr. Grinnell the last one out?

23 A. No, I was the last one out off of C deck.
24 Except for John up the ladder because he said he

SEAN BRADY

1 was a little sore.

2 Q. Now, did you witness anyone else come up
3 through that accessway that we have drawn on D-2
4 and which is shown on D-3, the color photocopy of
5 the photograph, did you see anybody come up that
6 accessway before Mr. Turner?

7 A. The whole gang that worked that day that
8 was working the floor had to come up and down the
9 ladder.

10 Q. So then just prior to Mr. Turner coming
11 out?

12 A. Several people had already been up and
13 down.

14 Q. Several people had already been up and
15 down.

16 A. Up and down.

17 Q. But some people had just left the hatch
18 before then; in other words, there were more than
19 three people working in that D deck, more than
20 three people working in the D deck?

21 A. Yes.

22 Q. When you were in the area of this access
23 hatch lid on C deck and the accident occurred,
24 were there any crew members or anybody else other

SEAN BRADY

1 than longshoremen in that area at the time?

2 A. No, just longshoremen.

3 Q. At any time when you went down this ladder
4 that you had to use to get from B to C, from A to
5 B to C and whatever levels you did, did you ever
6 experience any problems with the access lids or
7 the ladders?

8 A. Probably, I just wasn't paying attention to
9 it, did my job, it was cold down there.

10 Q. Do you have any specific recollection of
11 having any problems with any of other access lids
12 or ladders?

13 A. No. I just went to work.

14 Q. And before this accident, did anyone
15 complain to you or mention that this particular
16 access lid, which was circled on D-2 which was
17 involved in Mr. Turner's accident, was anyone
18 complaining about that or saying it was a problem
19 before the accident?

20 A. No, not to my recollection, no.

21 Q. Then after the accident, did you complain
22 to anybody about that access lid or the securing
23 device that you tried to put back in after the
24 accident?

1 A. I went and spoke to the superintendent and
2 told him.

3 Q. And who was that superintendent?

4 A. Cliff, I don't know Cliff's last name,

5 Q. Cliff Lasch?

6 A. I guess.

7 Q. And that was after the accident?

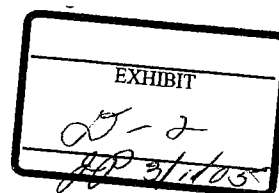
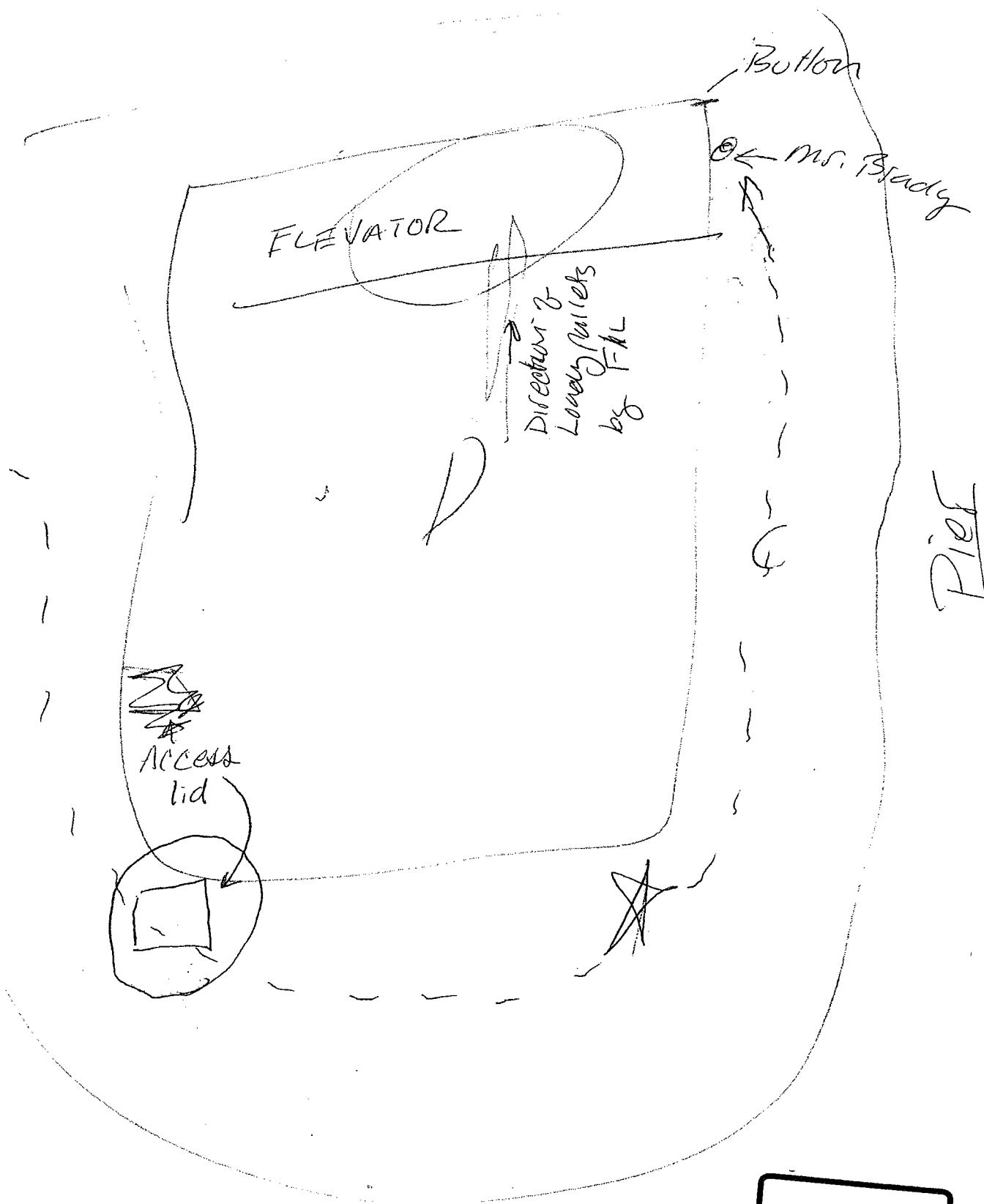
8 A. Yes.

9 Q. And when you said the three of you were on
10 C deck after the accident, you said it's cold,
11 let's get out of here, that was because work was
12 over and you guys were done for the day?

13 A. Yes.

14 Q. Now, during this time period, you know,
15 right after the accident occurred, did Mr. Turner
16 say anything to you about how the accident
17 occurred or anything of that nature?

18 A. Well, I got over there, I thought he was
19 joking, looked at him. It looked like we were
20 laughing about something anyway before it happen,
21 we were laughing about something. When he went
22 down I thought he was joking. Come on, let's get
23 out of here. He's like I don't believe this, he
24 couldn't believe the door came back on him. Hold



11-01-04

FREEDMAN AND LORRY, P.C.
BY: STANLEY B. GRUBER, ESQUIRE
IDENTIFICATION NO. 22954
400 Market Street, Suite 900
Philadelphia, PA 19106
(215) 931-2510
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN TURNER : CIVIL ACTION
:
vs. :
:
SEATRADE GRONINGERN B.V. : NO. 04-cv-0936

PLAINTIFF'S ANSWERS TO GOLDEN HELM SHIPPING CO., S.A.'s
INTERROGATORIES

1. On November 8, 2002, at approximately 2:45 P.M., Plaintiff was climbing out of the D deck level of the aft end of the No. 2 hatch of the vessel on an escape ladder. In order to assist himself in getting up the ladder to the next level, he grabbed onto the top of the hatch lid. However, the hatch lid was not secured and it fell on Plaintiff striking him and "pinning" him in the area of his waist. Sean Brady, fellow longshoreman, assisted Plaintiff in raising the hatch lid and climbing onto the C deck level and off the ship.
2. Sean Brady, longshoreman
Joseph Selvaggi, longshoreman
Anthony Frasier, longshoreman
Grinnel Williams, longshoreman
Ryan Anderson, longshoreman
Gregory Ringgold, longshorman
3. See answer to Interrogatory 1. The hatch lid in question was not adequately secured and did not contain an adequate device to safely secure it in a raised position.
4. Sean Brady, longshoreman
Joseph Selavaggi, longshoreman
Anthony Frasier, longshoreman
Grinnel Williams, longshoreman




Ryan Anderson, longshoreman
Gregory Ringgold, longshoreman
Cliff Lasch, superintendent
Employees, servants, agents and/or workmen of defendant Seatrade Groningen B.V.

5. DRS Supervisor's Accident Investigation dated November 8, 2002
Crew List
Deck Log
Stowage Plan
DRS Daily Work Reports and Palletized Ship Reports
Ship's Port Log for November 6 through 8, 2002
6. Plaintiff did not make any complaint regarding the condition which caused his accident because he was unaware that a dangerous condition existed prior to the accident.
7. Cliff Lasch may have inspected the area of the accident scene for the purpose of taking photographs shortly after the accident.
8. The hook and eye device utilized to hold the hatch lid in an open position was defective and the hatch lid was not firmly secured in an open position. The condition was latent in that the hatch lid appeared to be secured in an open position.
9. Defendant knew or should have known that an unsafe condition existed since it was the responsibility of the ship's crew to make sure that such hatch lid was firmly secured in an open position to enable the longshoremen to have safe access in and out of the cargo hold in question and the hatch lid and securing device was ship's gear.
10. See answer to interrogatories 3 & 8. In addition, it appeared that the hatch lid was secured in an open position because it was open and leaning back against the bulkhead at the time of the accident.
11. Not applicable
12. Plaintiff injured his neck and low back in a motor vehicle accident on May 25, 1999. Plaintiff received treatment from his family doctor, Tae Sup Song, M.D. and attended physical therapy at Dynamic Physical Therapy. Plaintiff was out of work until October 4, 1999.
13. None known to Plaintiff
14. Not applicable

15. Plaintiff climbed in and out of the D deck three times prior to the accident and had not experienced any problems during his prior use.
16. The precise period of time is not presently known.
17. Sean Brady, longshoreman
Joseph Selavaggi, longshoreman
Anthony Frasier, longshoreman
Grinnel Williams, longshoreman
Ryan Anderson, longshoreman
Gregory Ringgold, longshoreman
Cliff Lasch, superintendent
18. Past lost wages – approximately \$138,121.54 based on 101 weeks of disability at approximately \$1,367.54 per week, and continuing. In addition, the plaintiff's medical bills total \$41,309.65
19. Plaintiff filed a claim for underinsured motorist as a result of the 1999 motor vehicle accident. Plaintiff's attorney filed for an arbitration in the Superior Court of Wilmington. The claim was subsequently settled for Plaintiff's policy limits. Plaintiff was represented by L. Vincent Ramunno of Ramunno & Ramunno, 903 W. French Street, Wilmington, DE.
20. Objected to. This Interrogatory calls for plaintiff to reach a legal conclusion which he is not competent to reach.

FREEDMAN AND LORRY, P.C.

BY: _____


Stanley B. Gruber
Attorneys for Plaintiff

VERIFICATION

JOHN TURNER hereby states that he is plaintiff in the within action and verifies that the statements made in the foregoing Answers to Interrogatories are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


JOHN TURNER

DATE: 10-28-04

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN TURNER

v.

SEATRADE GRONINGEN B.V.

:
:
:
:
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:
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CIVIL ACTION

NO. 04-cv-0936

**DEFENDANT'S INTERROGATORIES
DIRECTED TO PLAINTIFF JOHN TURNER**

Defendant, Seatrade Groningen B.V.¹, by and through its undersigned attorneys, Palmer Biezup & Henderson LLP, hereby propounds the following interrogatories to be answered under oath by plaintiff John Turner within thirty (30) days of service under and pursuant to Rule 33 of the Federal Rules of Civil Procedure.

These interrogatories are to be deemed continuing so as to require further answer from now until the time of trial, without further notice, if you learn further information called for herein.

These interrogatories are addressed to you as a party to this action, and your answers shall be based upon the information known to you, your attorneys, or other representatives.

I. Definitions

¹ The parties anticipate that B.V. Shipping Company Luzon Strait (Groningen) will be substituted as the proper defendant in this matter by way of stipulation and, therefore, these interrogatories shall be considered to have also been propounded by B.V. Shipping Company Luzon Strait (Groningen) once the substitution becomes effective.

A. "You" or "your" shall mean the person or entity to whom these interrogatories are addressed; or any agent or person acting on your behalf.

B. "Person" or "persons" shall mean any natural individual or any corporation, firm, partnership, proprietorship, association, entity, joint venture, or other business organization.

C. "Document" shall mean any original written, typewritten, handwritten, printed or recorded material as well as all tapes, non-duplicate copies and transcripts, now or at any time in your possession, custody or control. Without limitation of the term "control" as used in the preceding sentence, a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person, of public or private entity which has actual possession thereof. If a document was, but is no longer in your possession or subject to your control, state what disposition was made of it, by whom and the date or dates, or approximate date or dates, on which such disposition was made and why.

D. "Complaint" includes the original Complaint filed by plaintiff(s) as well as all subsequently filed Amended Complaints.

II. Instructions

In responding to these interrogatories, plaintiff shall follow the instructions set forth below:

A. The person to whom these interrogatories are addressed shall answer the interrogatories below under oath within thirty (30) days of service hereof, or such shorter time as the Court may order.

B. In answering these interrogatories, each answering party shall furnish all information available at the time of answering.

C. If you do not answer an interrogatory in whole or in part because of a claim of privilege, set forth the privilege claimed, identify the facts upon which you rely to support the claim of privilege, and identify all documents for which such privilege is claimed.

D. When a natural person is required to be identified, state his name, business and/or residence address.

E. "Or" shall be construed either conjunctively or disjunctively to bring within the scope of these interrogatories any information which might otherwise be construed as outside their scope.

F. The singular includes the plural, and vice versa, the masculine defines the feminine and neuter genders. The past tense includes the present time where the meaning is not distorted by a change of time.

G. When and if the responding party to these interrogatories answers any interrogatory with the phrase "see medical records" or like answer, then with respect to such medical records, identify the specific record, the type of document, its date and title and its present location.

Interrogatories

1. Describe in detail how the accident which is the subject of your Complaint occurred including, but not limited to, the events leading up to and following the alleged accident.

2. Identify all witnesses to your alleged incident, including all persons who were within sight or hearing of the alleged incident, specifying locations and observations.

3. Set forth in detail all facts which you contend support the allegations contained in Paragraph 7 of Plaintiff's Complaint.

4. Identify all persons which you contend have knowledge and/or information which supports the allegations contained in Paragraph 7 of Plaintiff's Complaint.

5. Identify all documents which you contend supports the allegations contained in Paragraph 7 of Plaintiff's Complaint.

6. In the event that plaintiff or his employer ever complained to defendant or its representatives about the condition which plaintiff claims caused his alleged incident, state when and to whom such complaint was made along with the substance of the Complaint.

7. Identify all persons of which you are aware who inspected the area where you contend the plaintiff's incident occurred.

8. Describe in detail any unsafe condition, defect and/or hazard which you contend was a proximate cause of the accident which is subject to your Complaint and indicate whether the condition was latent or obvious.

9. In the event that you allege that defendant had notice of any unsafe condition, defect and/or hazard that plaintiff may have encountered and was involved with plaintiff's incident, state the facts that you allege establish that defendant had notice of such unsafe condition, defect and/or hazard.

10. In the event that you allege that the unsafe condition, defect and/or hazard that plaintiff may have encountered was not open and obvious to longshoremen, state the facts that establish that the unsafe condition, defect and/or hazard was not open and obvious.

11. In the event that you contend that the unsafe condition, defect and/or hazard was an obvious danger, state all facts which you claim support said contention.

12. With respect to prior injuries and/or prior medical treatment to the areas of your body you claim you injured in the incident which is the subject matter of your Complaint, please identify all such prior injuries/treatment and identify the doctors and/or other medical professionals who treated you together with the date(s) of such prior injuries/treatment. (The word "prior" in this interrogatory means before the accident which is the subject matter of your Complaint).

13. Set forth in detail the substance of any and all communications (written or oral) you are aware of with representatives of defendant concerning the condition which you claim caused your alleged incident.

14. In the event you have ever been convicted of a crime, please set forth the case name, court, civil action number/court term and number, the names and addresses of the attorneys involved and the crime for which you were convicted.

15. With regard to the access cover, opening and ladder you claim were involved in your alleged accident, state how many times you used said cover, opening and ladder before your alleged accident and whether you experienced any problems during your prior use.

16. With regard to the condition you contend caused your alleged accident, state the period of time this condition existed prior to the incident which is the subject matter of the Complaint and the factual basis for your answer.

17. Identify all employees of the stevedore (including supervisors, foremen, ship bosses and longshoremen) who used or inspected the access cover, opening and ladder in question before the accident which is the subject matter of the Amended Complaint.

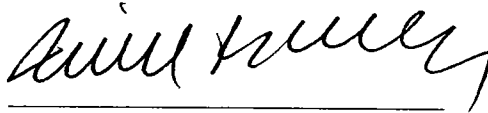
18. Set forth in detail any economic losses (including medical expenses, lost wages, etc.) that you claim you suffered as a result of the incident which is the subject matter of your Complaint.

19. Set forth the case name, court term and number and the names and addresses of the attorneys who entered an appearance in all lawsuits you have filed in your lifetime for losses and/or damages you claimed to have sustained as the result of personal injuries.

20. State whether or not, at the time of your incident, you and your employer complied with the OSHA Safety and Health Regulations for longshoring 29 C.F.R. §1918.1 *et seq.* and, if so, what in particular you and your employer did to comply with said regulations.

PALMER BIEZUP & HENDERSON LLP

By:



Michael B. McCauley
Delaware I.D. No. 2416
Attorneys for Defendant
Seatrade Groningen B.V.

1223 Foulk Road
Wilmington, DE 19803
Tele: (302) 594-0895
Fax: (302) 478-7625

Dated: _____

10/12/04

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN TURNER

v.

SEATRADE GRONINGEN B.V.

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CIVIL ACTION

NO. 04-cv-1057

CERTIFICATE OF SERVICE

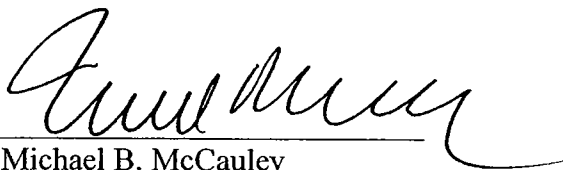
The undersigned hereby certifies that a true and correct copy of the within Interrogatories directed to Plaintiff John Turner was served on the below-listed counsel by first-class mail, postage prepaid, on the date appearing below:

Stanley B. Gruber, Esquire
Freedman and Lorry, P.C.
400 Market Street
Suit 900
Philadelphia, PA 19106-2509

Stephen B. Potter, Esquire
Potter Carmine Leonard & Aaronson, P.A.
840 North Union Street
P.O. Box 514
Wilmington, DE 19899

PALMER BIEZUP & HENDERSON LLP

By: _____



Michael B. McCauley
Delaware I.D. No. 2416

Dated: _____

10/12/04

* Delete if not applicable

Shipping Inspectorate
PO box 8634
3009 AP Rotterdam
Tel: 010 - 2668600
Fax: 010 - 2022320

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3065 SC Rotterdam



Inspection report

Form B (Ships file)

Name ship / yard / company *

LUZON STRAIT/CSBC

Callsign / Yard no. *

Page of

2 **6**

Date of inspection

14-20-08-2002

Place of inspection

KEELUNG (TAIWAN)

Report seq. No

1

	<ol style="list-style-type: none"> 19. CO2 room ventilation to be locked in open position (it shall not be possible to close) 20. CO2 bottles placed on steel (to put on rubber/wood) 21. CO2 bottles in corners resting against steel angle bar of CO2 bank frame 22. EM gen. fuel supply and return line partly made of copper 23. Indication for number of CO2 bottles required for each protected space to small Indication also to place near CO2 valves (number of CO2 bottles required for purifier room not indicated) 24. Heating in CO2 room missing 25. 24 VDC connection on EM.gen. electric starter not insulated. 26. ready 27. Rubber to remove from ventilation covers for EM.gen room + indication "Only to be closed in case of fire in Emergency Generator room" 28. Safetyplan and fireplan not coloured + A60 insulation not indicated 29. Some rooms cannot be opened from inside (danger of being locked in) 30. One line diagram missing on MSB (listing of non-preferent??) 31. see 54 32. Indication missing which steeringgear pump is supplied from ESB 33. Indication missing in ECR which steering gear pump is in service. 34. Fuellines in ER not shielded/safeguarded 35. Hydraulic pump unit for valves near ER emergency escape lower floor not shielded 36. IMO pictograms in acc/ER/STGRm etc.etc to improve to indicate location of saf. Equipment and escape routes. (Some of current indication is not fluorecent and some is not complying with IMO) 37. Some drainvalves from oiltanks to overflow tank not provided with quick closing device. 38. Sounding pipes for DB not provided with testcocks-- 39. Some hydrants/fifi isolating valves etc painted close 40. Pressure relief hole to provide in caps for fifi hydrants 41. Additional AB extinguisher to place in wheelhouse and in ECR 42. Epirb to re-locate away from bridgewing cover 43. One SART to place in FFB 44. IMO manoeuvring characteristics not complying with Notice to Shipping 302 45. Table of life saving signals not displayed on the bridge 46. cancelled 47. 40 ltr O2 bottle not provided (for reg.54) to connect to hospital 48. n.a. Luzon Strait 	<p>B.V.</p> <p>B.V.</p> <p>B.V.</p> <p>B.V.-</p> <p>B.V.</p>	
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LUZON STRAIT/CSBC

Callsign / Yard no. '

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3 6

Date of inspection

14,20-08-2002

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KEELUNG (TAIWAN)

Report seq. No

1

	<p>49. Visible range navigation sidelights to check</p> <p>50. GAS and O₂ line to paint red and blue respectively</p> <p>51. see 55</p> <p>52. Railing scepter seized near liferaft station</p> <p>53. n.a. Luzon Strait</p> <p>54. Some indication missing for emergency lights or faded</p> <p>55. Non conductive mat missing near MSB</p> <p>56. ER alarm in engineers cabins and in the mess too weak B.V.</p> <p>57. No buzzer available for ER alarm in CE and 2E dayroom B.V.</p> <p>58. GEA alarm can be accepted in eng. Cabins and in mess B.V.</p> <p>59. Fire detection system not delayed for alarm to accommodation (see SOLAS II-2 reg.13.1.4 and reg. 14.2)</p> <p>60. Instructions missing for Thorn T882 and T 280 fire detection panel</p> <p>✓ 61. Accumulator for Quick closing valves unable to close all valves with oil pump switched off B.V.</p> <p>62. No secondary means provided to activate QC valves (e.g. hand pump) B.V.</p> <p>63. Testcock missing in OWS overboard line (diameter shall be equal to diameter overboard line) B.V.</p> <p>64. Overflow tank, No 1 DO tank P & S sounding pipes terminate in ER discuss with NSI R'dam</p> <p>65. ready</p> <p>66. Embarkation station for davit launched liferaft to be assessed and indicated (also on safety plan)</p> <p>67. Means to provide to fasten davit launched raft bowing lines.</p> <p>68. Dimmer to be removed for navigation light panel indication lights.</p> <p>69. Immersion suits stowage location not in accordance with safety plan (shall not be stored in the rescue boat)</p> <p>70. Bridge watch alarm in mess room defective N.A.</p> <p>71. Location of safe and fire plans not indicated on these plans</p> <p>72. Fire extinguisher on ER upper platform to re-arrange to comply with max. 10 mtr walking distance</p> <p>73. Training manual to update to comply with SOLAS 2000 amendments chapter II-2 reg. 15.2.3.</p> <p>74. Door to EM.Gen.room is obstructed when ventilation cover is held back in open position B.V.</p>		
14/19-08-2002	<p>✓ 75. All liferafts service date expired (attention correct position of liferaft i.e. 2 x davit launched on SB, 2 x throw-over on PS, 1 x 6 persons raft forward.)</p> <p>76. Hydraulic connections of FFB davit some badly corroded some</p>		

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Date of inspection

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Report seq. No

1

	<p>wasted.</p> <p>77. FFB davit to test on completion repair hydraulic cylinder</p> <p>78. secondary means for bilging BT room not provided.</p> <p>79. Securing pin missing for BT entrance hatchcover</p> <p>80. Safety and fire control plan to be updated for actual situation on board NSI remarks to be included in revised plan. (for remarks see notes on attached Lifesaving/Fire Control plan and comments to plans below)</p> <p>81. Fire extinguisher near C2H2 and O2 locker not placed in box (extinguisher shall not be exposed to wheather to prevent corrosion)</p> <p>82. Spare charge for P2, P6 and 45 ltr foamextinguisher missing</p> <p>83. AFFF extinguisher to remove from EM.Firepump room (this space is too confined to contain an extinguisher)</p> <p>84. CO2 alarm in ER workshop, purifier room, near Generator sets hardly or not audible while ME not running. (additional alarms to be placed and sound levels throughout the ER to be tested during seatrails 25-08)</p> <p>85. When ER alarm is reset on keyboard in ECR, the alarm does not automatically switch over to attended ER mode and Deadmans system is not started.</p> <p>86. Manual GEA is activated by pushbutton (shall be activated by a hold button or switch and continuesly give alarm in acc. spaces. Stopping shall only be possible in ECR)</p> <p>87. One handle missing for local control of funnel ventilation dampers</p> <p>✓ 88. CO2 pilotline failed due to grinding damage (Pilotlines to be pressuretested at 1,5 x working pressure) <i>READY TO REPAIR</i></p> <p>89. Non return valve missing on CO2 pilot bottle connection to CO2 pilotline sytem</p> <p>90. Rescueboat davit slewing device seized in open position</p> <p>91. WT door from ER EM escape to deck can be locked on deck (It shall alaways be possible to open doors from the space to escape from.)</p> <p>92. Additional spare parts for foam extinguishers not supplied i.e. washers and breakdiscs (if applicable) etc.</p> <p>93. One heat detector in ECR to be replaced by smokedetector</p> <p>94. Description of firealarm and general alarm on musterlist shall match actual alarms on board.</p> <p>95. Fault alarm on wheelhouse panel for MSB ESB powersupply indication can be dimmed</p> <p>96. Headset in steeringgear room not provided to communicate with the wheelhouse at emergency steering stand</p> <p>97. Indication of valves/emergency stops/vents etc. to complete</p>	<p><i>B.V. REPORT TO NSI</i></p> <p>Discuss with</p> <p><i>B.V. REPORT TO NSI</i></p> <p><i>B.V. REPORT TO NSI</i></p> <p><i>B.V. REPORT TO NSI</i></p>	<p>NSI R'dam</p>
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5 **6**

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Report seq. No

1

	98. No telephone alarm in ER		
	99. Bridgeward shall be activated in all officer cabins and mesroom (no selection shall be made)		

Remark	Action
<ul style="list-style-type: none"> Seavalves not remote controlled waterinflux calculations to submit to NSI R'dam (influxtime 20 minutes) Grating for FFB embarkation platform shall be fire proof (details to submit) <p>Outstanding Inspections: i.a.</p> <ul style="list-style-type: none"> ✓ Oil water seperator <i>BU TO REPORT TO NSI.</i> ✓ Quick closing valves <i>BU TO REPORT TO NSI.</i> Rescueboat exercise Davitlaunched raft demonstration • <i>FREE FALL EXERCISES WITH CREW</i> <p>Attention:</p> <ul style="list-style-type: none"> Dutch MMSI number to program for EPIRB Dutch required books/logbooks etc to place on board. SOPEP, CSM, Container securing manual, Garbage record book, Oil record book, CFC logbook ISM audit for Netherlands certificate EEBD's Medical locker shall comply with Dutch requirements (column AG) CFC leaktester All Bahamas certificates to be available prior issue Netherlands provisional certificates Approved stability booklets Report Inclining experiment Certificates for safety equipment/pumps/ME/AE/Ex equipment etc to show ✓ Seatrail reports to be available (IMO manoeuvring test) Noise measurement report to be available Current fire maintenance plan, testing, inspection, training and instruction schedules and firedrills etc. shall comply with SOLAS 2000 amendments chapter II-2 reg. 14, 15 & 16 Drawings/information to submit to NSI in accordance with BadS 235 (Plan approval remarks shall be complied with) Registry number to be carved in ARBO risico inventarisatie Legionella beheersplan Certification lifting gear indication SWL's etc <p>Comments to Fire Control Plan: inter alia:</p> <ol style="list-style-type: none"> P2 extinguishers in cranes not mentioned 	

Shipping Inspectorate
PO box 8634
3009 AP Rotterdam
Tel: 010 - 2668600
Fax: 010 - 2022320

's-Gravenweg 665
3065 SC Rotterdam



Inspection report

Form B (Ships file)

Name ship / yard / company *

LUZON STRAIT/CSBC

Callsign / Yard no. *

Page of

6 **6**

Date of inspection

14.20-08-2002

Place of inspection

KEELUNG (TAIWAN)

Report seq. No

1

2. Fire dampers not inditified for the space they serve e.g. acc/er/hold/bt room/ etc
3. Position of Fire Control Plan in accommodation not mentioned
4. Location of ES1, ES2, ES3 missing (ER, acc, foreship resp.)
5. Location remote control for Quick closing valves missing
6. Location for remote control pneumatic ER firedampers missing
7. Location for remote control pneumatic Pur. Room firedamper missing
8. ER air intake/exhaust/funnel dampers not indicated with IMO symbol
9. Several Hold ventilations missing
10. Route of escape not mentioned (primary and secondary)
11. Location CO2 release station missing (3x)
12. Number of CO2 bottles + weight not mentioned
13. Location of emergency battery not mentioned
14. Symbol for spare charges of fire extinguishers not used
15. Spare charges 45 ltr foam, P2 and P6 not mentioned
16. CO2 protected spaces not indicated
17. Legend does not indicate the number of each item per deck (acc/ER/MD/4 castle etc)
18. Position of hyd.power unit for hatches forw. not correct
19. Location of fireplan in wheatherthight box is not correct
20. Location of Int. Shore Connection is not correct
21. Required max. walking distance to fire extinguishers in ER upper platform not observed
22. Plan not actualised for position of equipment (extinguishers) on board.
23. Smoke and heatdetectors may be omitted from the plan
24. Unnescesary details can be removed from the plan such as crane radius/winches etc
25. A60/30/15/0 and B divisions are not clear (decks and bulkheads)

On the basis of abm remarks the plan will not be approved by NSI

Comments to Life Saving Plan:

Inter alia:

1. 15 persons rafts mentioned iso 16 persons rafts
2. Position of life saving plans in accommodation not mentioned
3. Difference between rocket signals and parachute signals not clear (only 12 parachute signals are required)
4. Spare MOB light not required.
5. Number of lifejackets in bosun store in plan not corresponding with number of lifejackets mentioned in symbol list
6. IMO pictograms only used in symbol list and not in the plan itself
7. Unnescesary details can be removed from the plan such as crane radius/winches etc

Report

Noted on behalf of ship's / yards / company's management *

Name : Master / Officer / Representative *

J. BULTHUIS

Signature

Name: Surveyor

W.VERSCHUURE/W van der KRUIS

Signature



ISM CODE CERTIFICATION

SHIPBOARD AUDIT REPORT

Local control Nr.
TPI 200024
RISMC Nr.
ROT0260841
Page 1 of 1

☒ INTERIM☐ INITIAL☐ RENEWAL☐ ADDITIONAL

1 THE VESSEL

Name		Luzon Strait		IMO number	9204960
Company's name	Seatrade Groningen BV				
Office Address (main)	Laan Corpus den Hoorn 200 Groningen 9728 JS The Netherlands		TYPE: Other cargo vessel , Refrigerated cargo		
Call Sign	PBHT	Date of build	08.2002		
Port of Registry	Groningen	Class	BV		
Gross tonnage	14,413	DOC Issued by	The Head of Shipping Inspection		
Flag	The Netherlands	Expiry date	31/10/03		

2 THE AUDIT

The audit is performed for the Company named in 1 above	Date	Location
	29/08/02	Keelung, Taiwan

3 AUDIT SUMMARY (INITIAL/RENEWAL/ADDITIONAL VERIFICATION)

The following NCN(s) issued/closed out/downgraded/upgraded/outstanding:

Issued: NIL
 Closed out: NIL
 Downgraded: NIL
 Upgraded: NIL
 Outstanding: NIL

4 RECOMMENDATION BY AUDITOR

SHOULD A SAFETY MANAGEMENT CERTIFICATE BE ISSUED

☒ YES☐ NO

5 SIGNATURES (also name in CAPITALS)

The vessel has been audited against the requirements of the International Safety Management (ISM) Code and was found to be satisfactory unless otherwise indicated

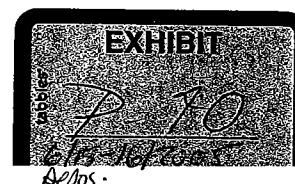
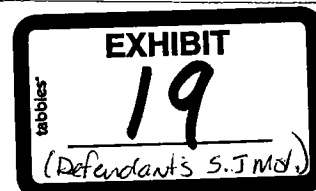
Auditor		Company Representative/Manager, Name:
M. CHANG		I have checked that the details above are correct and acceptable:
Auditor		
Auditor		Date
	ARN:	29/08/02

6 DISTRIBUTION OF THIS REPORT

ORIGINAL to SHIP with Original NCN(s)

COPY and 1 COPY NCN(s) to LR

COPY and 1 COPY NCN(s) to Auditor





ISM CODE CERTIFICATION

SHIP AUDIT PLAN

Local control Nr.	TPI 200024
RISMC Nr.	ROT0260841
Page 1 of 1	

☒ INTERIM ☐ INITIAL ☐ INTERMEDIATE ☐ PERIODIC ☐ RENEWAL ☐ ADDITIONAL

Name of the Vessel	Luzon Strait
Location	Keelung, Taiwan

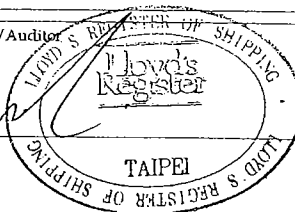
AUDIT PLAN

The auditor shall prepare this plan at the opening meeting. It should reflect the order in which the relevant officers/crew are to be interviewed to address the topics. A tour of the ship is to be included in the plan. The language of the audit is in English unless otherwise indicated on this plan. For Initial/Intermediate/Renewal Audits the auditor shall ensure that each element of the Code is addressed, as well as the requirements of Procedure # 5 paragraph 3.5. For Interim Audits the auditor shall ensure that the requirements of Procedure # 9 paragraph 5.4 are addressed. It should be remembered that this is a plan, and that deviations may be made due to operational requirements or audit findings. All times are approximate.

Audit Report distribution: Original - Company; Copy - RISMC, Flag if requested.

Date/Time	Auditee	Activity
29/08/2002 09:00		Opening Meeting
09:20	Master	SMS documentation; Verification DOC & Ship's Certificates; Crew Certificates; Interviewed with the familiar of SMS and programme for familiarisation and training, essential prior to sailing, language & communication.
11:20	C/O	Interview with familiar with the contents of SMS for cargo operation and PMS.
11:50	2/O	Interview with familiar with the contents of SMS for bridge operation.
13:00	C/E & 2/E	Interview with familiar SMS and E/R operations and PMS.
13:45	Crew	General safety awareness & responsibilities and Deck, E/R tour
14:20	Auditor	Reporting
15:00	Auditor	Closing Meeting

Date 29/08/02	ARN number 90	Signature - Team Leader/Auditor
Name of Team Leader/Auditor in BLOCK CAPITALS M. CHANG		





ISM CODE CERTIFICATION
AUDIT LOG
ISM CODE - SAFETY MANAGEMENT CERTIFICATE

Local control Nr.
TPI 200024
RISMC Nr.
ROT0260841
Page 1 of 2

☐ DOC. REVIEW ☒ INTERIM ☐ INITIAL ☐ PERIODIC ☐ INTERMEDIATE ☐ RENEWAL ☐ ADDITIONAL

Name of vessel	Luzon Strait	Type	Other cargo vessel	IMO 9204960
Company	Seatrade Groningen BV			Location Keelung, Taiwan

AUDIT LOG

Any "Observation" included in the following narrative relate to omissions or potential deficiencies in the management system which may, if not corrected, lead to a non-conformity in the future. Observations to be sequentially numbered and with relevant clause number.

PART A

(1) Controlling (R)ISMC: EMEA	(2) LR Certification Scheme Procedure(s) Ref.: CM38-01-02-012, Procedure No. 5, 9, 11, 12, 15
(3) Audit Start Date and Time: 29/08/2002, 09:00	(4) Audit Completion Date and Time: 29/08/2002, 15:00
(5) DOC issued by: Relevant Flag: The Netherlands	Expiry Date: 31/10/03 Last Endorsement Date: 17/10/01
(6) SMC No.: TPI 200024	Relevant Flag: Expiry Date: 28/01/03 Endorsed:
(7) Crew Nationality Master: Dutch	Chief Engineer: Dutch Officers: Filipino Crew: Filipino
(8) NCN's Raised (Give Actual Number of NCN):	NIL
NCN's Cleared:	NIL
NCN's Outstanding:	NIL
Observations Raised: NIL	

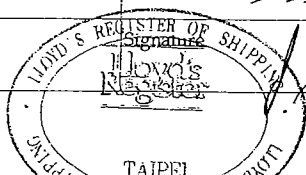
PART B

Priority Items to be Addressed	Comments
1. Internal Audit Records	Master advised that the internal audit of ship will be audited within 3 monthly as per company procedure IQA.PR.01. 2.2.2.50 requirements.
2. Chart Corrections & Nautical Publications	2/O is familiar with company's system for charts correction. Mater advised that onboard charts and nautical publications all updated.
3. Statutory Certification & Surveys	All statutory certificates valid and relevant surveys have been carried out that no conditions may affect the validity of certification.
4. Familiarisation Training	Familiarisation planning to deck and engine department reviewed and found in order.
5. Emergency Drills and Safety Records	Master stated that abandon ship & fire drill will carry out on 30/08/02 before the vessel sailing. Emergency drills programme sighted.
6. Machinery & Safety Equipment Maintenance	Computerised plan maintenance system sighted and C/E & C/O presented that they are familiar with this programme.
7. Masters Review of SMS/Overriding Authority	Master demonstrated the overriding authority from SMS document.
8. Identification of Designated Person	Master & C/E interviewed and able to identify the D.P. Mr. P.C. Borst.

All other aspects of the Audit as per Procedure(s) identified in Part A - item 2 should be covered by free text in subsequent pages of this log

Client Name Mobach m.s.	Signature 	Position Captain
Auditor Name M. CHANG	ARN 90	LR Office TAIPEI Date 29/08/02

issue date 24/07/2002





ISM CODE CERTIFICATION
AUDIT LOG

Local control Nr.	TPI 200024
RISMC Nr.	ROT0260841
Page 2 of 2	

☐ DOC. REVIEW ☒ INTERIM ☐ INITIAL ☐ PERIODIC ☐ INTERMEDIATE ☐ RENEWAL ☐ ADDITIONAL

Name of the Vessel	Luzon Strait	
IMO Number	9204960	Location Keelung, Taiwan

AUDIT LOG

Any "Observation" included in the following narrative relate to omissions or potential deficiencies in the management system which may, if not corrected, lead to a non-conformity in the future. Observations to be sequentially numbered and with relevant clause number.

PART C:

An opening meeting held with Master, Chief Engineer, C/O, 2/O and 2/E to explain the purpose of this audit and method of reporting. Audit was carried out based on ISM Code, Flag state requirement and relevant LR Shipboard audit procedures.

SMS Documentation were generally reviewed found available onbaord. All documents relevant SMS and working language is English.

Manning certificates, crew's qualification and fitness certificates reviewed and found in order.

Information related to the operation and use key equipment relevant to safety and pollution prevention are given in working language that understood by ship's crew.

Onboard crew: Chief Cooker, AB interviewed and found are familiar with their duties and matters related safety and pollution prevention.

Close meeting held with Master & C/E, C/O and Interim Voluntary SMC issued valid to 28 January 2003.

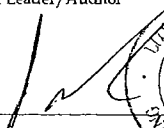
INTERMEDIATE VERIFICATION AUDIT ONLY

CERTIFICATE ENDORSED

☐ YES

☐ NO

NON LR DOCS HELD

Date	29/08/02	ARN number	90	Signature - Team Leader/Auditor 
Name of Team Leader/Auditor in BLOCK CAPITALS M. CHANG				

